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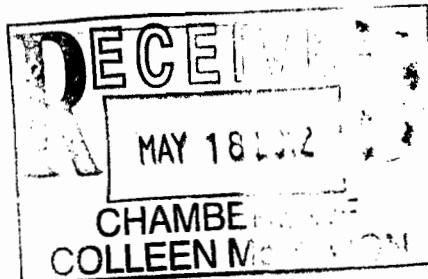
May 18, 2012

DATE FILED

5/22/12

BY FAX

Hon. Colleen McMahon
United States District Judge
United States Courthouse
500 Pearl Street, Room 1350
New York, NY 10007



really?

KARMA ENDORSED

Re: Nirvana International, Inc. v. ADT Security Services, Inc.
United States District Court, S.D.N.Y.
Case No. 11-cv-8738 (CM)

Dear Judge McMahon:

We represent plaintiff Nirvana International, Inc. in the referenced action, in which an initial pre-trial conference is currently scheduled for June 1, 2012. We write on behalf of both parties to seek a clarification as to whether the Court requires a Rule 26(f) discovery plan to be submitted under the present circumstances.

Specifically, yesterday the Court approved the Civil Case Management Plan submitted by the parties, which sets numerous discovery and other deadlines in this action. The items required to be included in a Rule 26(f) plan are largely the same as those contained in the approved Civil Case Management Plan. However, because the Court's individual rules do not specifically absolve parties of their obligation to submit a Rule 26(f) discovery plan, we did not want to assume this is the case and, thus, seek guidance from the Court on this issue.

Respectfully submitted,

Jonathan Rogin

cc: Thomas M. DeMicco, Esq. (by e-mail)
Aaron K. Kirkland, Esq. (by e-mail)

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5/22/12